

National Advisory Committee on Meat and Poultry Inspection
Food Safety and Inspection Service
Office of Outreach, Employee Education and Training
MEMBERSHIP BALANCE PLAN

1. Committee's Official Designation

The Committee shall be known as the National Advisory Committee on Meat and Poultry Inspection (NACMPI), hereafter referred to as the Committee or the NACMPI.

2. Authority

The Secretary is required to consult with an advisory committee or committees authorized under section 301(a) (4) of the Federal Meat Inspection Act (FMIA) (21 U.S.C. 661(a) (4)) to carry out the responsibilities imposed by sections 7(c), 24, 205, 301(a) (3), and 301(c) of the FMIA (21 U.S.C. 607(c), 624, 645, 661(a) (3), and 661(c)), and authorized under section 5(s) (4) of the Poultry Products Inspection Act (PPIA) (21 U.S.C. 454 (a) (4) to carry out the responsibilities imposed by sections 5(a) (3), 5(c), 8(b), and 11(e) of the PPIA (21 U.S.C. 454(a) (3), 454(c), 457(b), and 460(e)).

The Committee operates in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.

3. Objectives and Scope of Activities

The purpose of the Committee is to provide stakeholder advice to the Secretary concerning State and Federal programs with respect to meat, poultry, and egg product inspection, safety, and other matters that fall within the scope of the FMIA, the Poultry Products Inspection Act (PPIA) and the Egg Products Inspection Act (EPIA). The major role of the Committee is to advise the Secretary of Agriculture on food safety policies that will contribute to USDA's regulatory policy development.

4. Points of View Needed for the Committee

Membership consists of not more than 20 individuals with diverse capabilities distinguished by their knowledge and interest in meat and poultry safety and other the Food Safety and Inspection Service's (FSIS) responsibilities. Members

shall be drawn from representatives of State and local governments; industry and trade associations; public health, scientific, and academic communities; and consumers and consumer organizations.

Every effort will be made to ensure that the membership of this Committee is balanced. Nevertheless, FSIS recognizes that committee membership is not static and may change, depending on the work of the committee.

5. Other Balance Factors

Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities. Furthermore, FSIS attempts to have a fair representation of the different geographic parts of the US and its territories. FSIS also seeks balance in representing the primary stakeholder viewpoints-industry, consumers, academicians and State governments.

6. Quorum Requirements

The NACMPI requires that a majority of members be present before a vote on committee documents or recommendations can be taken. This quorum ensures protection against totally unrepresentative action in the name of the body by an unduly small number of persons. Every effort is made to ensure that the quorum consists of at least one member of each stakeholder group. (See point of view categories in 4 above.)

7. Candidate Identification Process

FSIS encourages nominations by minorities, women, persons with disabilities, and other underserved populations. A *Federal Register* notice and a press release soliciting nominations are issued. In addition, FSIS' staff officers make direct contact with organizations representing minorities, women, persons with disabilities, minority owned businesses, 1890 Colleges and Universities, Native American Tribal Associations, Hispanic Association of Colleges and Universities, and other groups to solicit nominations. Candidates are selected for consideration based on their expertise, background, interest in meat and poultry inspections, food safety, and other matters that fall within the scope of the FMIA, the PPIA and the EPIA. Effort is made as well to achieve a balance among stakeholder groups and geographic areas.

Once candidates are identified, their names and background data are submitted to the USDA White House Liaison's office for vetting. The vetting process includes a background check to determine if any of the candidates have a conflict of interest that would prohibit her/him from serving on the Committee due to criminal or ethical violations.

8. Subcommittee Balance

The balance plan for subcommittees is the same as the Committee balance plan.

9. Legal Background

Section 5(b)(2) of the FACA requires "...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." The corresponding FACA regulations reiterate this requirement at 41 CFR § 102-3.30(c), and, for discretionary committees being established, renewed, or reestablished, require agencies to provide a description of their plan to attain fairly balanced membership during the charter consultation process with GSA (41 CFR § 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify that (1) the purpose of the membership balance plan is to ensure "that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee;" and (2) "[a]dvisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed." (41 CFR § 102-3.60(b)(3)).

FACA mandates that Federal advisory committees be balanced in the points of view represented by the members, but leaves it to the discretion of each agency on how to do this. The FACA regulations offer guidance in achieving a balanced Federal advisory committee membership, which include considering:

- (i) The Federal advisory committee's mission;
- (ii) The geographic, ethnic, social, economic, or scientific impact of the Federal advisory committee's recommendations;
- (iii) The types of specific perspectives required, such as those of consumers, technical experts, the public at-large, academia, business, or other sectors;

(iv) The need to obtain divergent points of view on the issues before the Federal advisory committee; and

(v) The relevance of State, local, or tribal governments to the development of the Federal advisory committee's recommendations.”
(41 CFR § III of App. A to Subpart B)

10. Date Prepared: May 2016